

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL RAIHALA,

Plaintiff,

Case Number: 07-14083

v.

HONORABLE AVERN COHN

CASS COUNTY DISTRICT JUDGE,

Defendant.

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ORDER DENYING PLAINTIFF'S MOTION TO AMEND

Plaintiff, a state prisoner proceeding pro se and in forma pauperis, filed a complaint for declaratory relief. The Court dismissed the complaint under 28 U.S.C. § 1915(e)(2) because it failed to state a claim upon which relief may be granted. See Order of Summary Dismissal, filed October 11, 2007. Plaintiff did not file a notice of appeal.

Before the Court is plaintiff's motion to amend his pleading in which he seeks to amend certain portions of his complaint. In light of the Court's dismissal of the complaint, the motion is DENIED AS MOOT.

SO ORDERED.

Dated: December 19, 2007

s/Avern Cohn
AVERN COHN
UNITED STATES DISTRICT JUDGE

I hereby certify that a copy of the foregoing document was mailed to the attorneys of record and Michael Raihala, 221559, Ryan Correctional Facility, 17600 Ryan Road, Detroit, MI 48212 on this date, December 19, 2007, by electronic and/or ordinary mail.

s/Julie Owens
Case Manager, (313) 234-5160